
By: **Washington County Delegation**
Introduced and read first time: February 13, 2004
Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Washington County Water and Sewer Infrastructure Commission**

3 FOR the purpose of establishing a Washington County Water and Sewer
4 Infrastructure Commission; specifying the membership of the Commission and
5 certain work groups within the Commission; specifying the duties of the
6 Commission; providing for the staffing of the Commission; requiring the
7 Commission to issue certain reports by certain dates to the Washington County
8 Delegation, the Washington County Board of County Commissioners, and the
9 Hagerstown City Council; providing for the termination of this Act; and
10 generally relating to the establishment of a Washington County Water and
11 Sewer Infrastructure Commission.

12 Preamble

13 WHEREAS, Government officials from Washington County, including the City
14 of Hagerstown and the other municipalities of the County, recognize the critical
15 importance of safe drinking water for all residents of the County, and the necessity for
16 clean water if the County is to maintain the population growth it has experienced
17 over the last decade; and

18 WHEREAS, Government officials from Washington County, including the City
19 of Hagerstown and the other municipalities of the County, recognize that the proper
20 treatment and handling of wastewater is critical to the public health and safety of all
21 residents in Washington County; and

22 WHEREAS, Government officials from Washington County, including the City
23 of Hagerstown and the other municipalities of the County, recognize the critical
24 importance of working in concert with each other for the betterment of each resident
25 in the County, specifically with regard to providing safe drinking water and properly
26 treating and handling wastewater; now, therefore,

27 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
28 MARYLAND, That:

29 (a) (1) In this section the following words have the meanings indicated.

1 (2) "Chairman" means the member of the General Assembly who is
2 elected by the entire Washington County Delegation to serve as the Chairman.

3 (3) "Washington County Delegation" means the Senators and Delegates
4 who are elected to Washington County or any portion of Washington County.

5 (b) There is a Washington County Water and Sewer Infrastructure
6 Commission.

7 (c) The Commission shall consist of the following 21 voting members:

8 (1) the Chairman of the Washington County Water and Sewer Advisory
9 Commission, or the Chairman's designee;

10 (2) the Health Officer for the Washington County Health Department, or
11 the Health Officer's designee;

12 (3) one representative of the Washington County Planning Commission,
13 appointed by the Chairman of the Washington County Planning Commission;

14 (4) one representative of the Hagerstown Planning Commission,
15 appointed by the Chairman of the Hagerstown Planning Commission;

16 (5) one representative of the Hagerstown-Washington County Economic
17 Development Commission, appointed by the Executive Director of the
18 Hagerstown-Washington County Economic Development Commission;

19 (6) one representative of the Hagerstown-Washington County Chamber
20 of Commerce, appointed by the Chairman of the Hagerstown-Washington County
21 Chamber of Commerce;

22 (7) one representative of the Greater Hagerstown Committee, appointed
23 by the Chairman of the Greater Hagerstown Committee;

24 (8) the following four members appointed by the Washington County
25 Delegation:

26 (i) two water and sewer operators from Hancock, Clear Spring,
27 Smithsburg, Funkstown, Keedysville, or Boonsboro;

28 (ii) one resident of Washington County representing a local
29 engineering firm; and

30 (iii) one resident of Washington County representing the
31 development community in Washington County;

32 (9) two residents of Washington County, representing either the business
33 or labor community in Washington County, appointed by the Senate members of the
34 Washington County Delegation;

1 (10) two residents of Washington County, representing either the business
2 or labor community in Washington County, appointed by the House members of the
3 Washington County Delegation;

4 (11) three residents of Washington County, representing either the
5 business or labor community in Washington County, appointed by the Washington
6 County Board of County Commissioners; and

7 (12) three residents of Washington County, representing either the
8 business or labor community in Washington County, appointed by the Hagerstown
9 City Council.

10 (d) In addition to the 21 voting members under subsection (c) of this section,
11 the Commission shall consist of the following three nonvoting members:

12 (1) one member of the Washington County Delegation, appointed by the
13 members of the Washington County Delegation;

14 (2) the President of the Washington County Board of County
15 Commissioners, or the President's designee;

16 (3) the Mayor of the City of Hagerstown, or the Mayor's designee;

17 (e) The Chairman of the Commission will be appointed by the Chairman of the
18 Washington County Delegation from among the 21 voting members serving on the
19 Commission.

20 (f) (1) The Commission shall consist of the following four work groups:

21 (i) the facilities and organization work group;

22 (ii) the debt, finance, and accounting structure work group;

23 (iii) the legal issues and labor relations work group; and

24 (iv) the planning and environmental work group.

25 (2) (i) The Chairman of the Commission shall determine the
26 membership of each work group.

27 (ii) A work group leader shall be elected by the voting members
28 appointed to that work group.

29 (g) The Washington County Board of County Commissioners, the City of
30 Hagerstown, and the Department of the Environment shall provide the staff for the
31 Commission.

32 (h) The responsibilities of the Commission include:

33 (1) assessing the existing capacity and deficiencies of the water and
34 sewer services in Washington County;

1 (2) reviewing the State and federal regulatory requirements with regard
2 to providing water and sewer services;

3 (3) reviewing and analyzing the future growth projections for
4 Washington County, and the impact that growth will have on water and sewer
5 services throughout Washington County;

6 (4) examining the water and sewer services provided by neighboring
7 regions and other counties and municipalities throughout the State;

8 (5) considering various options as to how future water and sewer
9 services can be achieved in an efficient and cost effective manner, while ensuring that
10 the system will continue to service public health needs of the residents of Washington
11 County;

12 (6) considering how to balance the current and future economic
13 development objectives of Washington County with issues arising from water and
14 sewer services in Washington County;

15 (7) considering the readiness with which the municipalities located
16 within Washington County are equipped to handle the water and sewer needs of these
17 areas in conjunction with the future growth of Washington County;

18 (8) considering an efficiency and cost-savings analysis of creating a
19 regional authority that would consolidate the City of Hagerstown and Washington
20 County water and sewer departments; and

21 (9) considering the feasibility of expanding a regional authority beyond
22 consolidating the City of Hagerstown and Washington County water and sewer
23 departments.

24 (i) The Commission shall develop a long term plan that:

25 (1) identifies critical areas of need with regard to water and sewer
26 services in Washington County; and

27 (2) addresses how to meet Washington County's water and sewer needs
28 through 2055, including the options of consolidation or regionalization of services,
29 joint service agreements, or regional authorities.

30 (j) The Commission shall submit an interim report of its findings to the
31 Washington County Delegation, the Washington County Board of County
32 Commissioners, and the Hagerstown City Council on or before January 1, 2005.

33 (k) The Commission shall submit a final report of its findings and
34 recommendations to the Washington County Delegation, the Washington County
35 Board of County Commissioners, and the Hagerstown City Council on or before June
36 30, 2006.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 July 1, 2004. It shall remain effective for a period of 2 years and, at the end of June
3 30, 2006, with no further action required by the General Assembly, this Act shall be
4 abrogated and of no further force and effect.